

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Biten K. Kathrani

Serial No. : Art Unit:

Filed : January 20, 2004 Examiner:

For : MEDICAL DEVICE FOR PROVIDING ACCESS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

January 2004

(Date of Deposit)

Linda F. Hansen

(Name of person signing, applicant, assignee, or Registered Representative)

January 2004

(Date of Signature)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the non-US patent references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

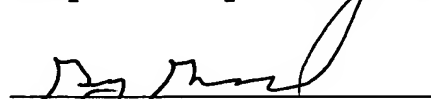
☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-5255/GSG.

Respectfully submitted,



Gerry S. Gressel
Reg. No. 34, 342
Attorney for Applicants

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DATED: January 20 2004

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number**Filing Date**

January 20, 2004

First Named Inventor

Biten K. Kathrani et al.

Group Art Unit

Not assigned

Examiner Name

Not assigned

Attorney Docket Number

END-5255

U.S. PATENT DOCUMENTS

Examine r Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,186,714	A1	Boudreault et al.	02/16/93	ALL
		5,336,172	A1	Bales et al.	08/09/94	ALL
		5,336,220	A1	Ryan et al.	08/09/94	ALL
		5,439,457	A1	Yoon	08/08/95	ALL
		5,456,684	A1	Schmidt et al.	10/10/95	ALL
		5,733,252	A1	Yoon	03/31/98	ALL
		5,766,169	A1	Fritzsche et al.	06/16/98	ALL
		5,797,939	A2	Yoon	08/25/98	ALL
		5,823,947	A1	Yoon et al.	10/20/98	ALL
		5,827,323	A1	Klieman et al.	10/27/98	ALL
		5,865,802	A1	Yoon et al.	02/02/99	ALL
		5,893,368		Sugerman	04/13/99	ALL
		5,938,626		Sugerman	08/17/99	ALL
		5,984,939	A1	Yoon	11/16/99	ALL
		6,042,539		Harper et al.	03/28/00	ALL
		6,099,550	A1	Yoon	08/08/00	ALL

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
							ALL	
							ALL	

Examiner
Signature

Date

Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

Application Number**Filing Date**

January 20, 2004

First Named Inventor

Biten K. Kathrani et al.

Group Art Unit

Not assigned

Examiner Name

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Attorney Docket Number

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		Number	Kind Code ² (if known)			
		6,117,152	A1	Huitema	09/12/00	ALL
		6,120,437	A1	Yoon et al.	09/19/00	ALL
		US20020099375	A1	Hess et al.	07/25/02	ALL
		6,432,118	B1	Messerly	08/13/02	ALL
		6,436,117	B1	Waller et al.	08/20/02	ALL
		US20020143355	A1	Messerly	10/03/02	ALL
		US20020177849	A1	Schulze et al.	11/28/02	ALL
		US20020183775	A1	Tsonton et al.	12/05/02	ALL
		US20020188294	A1	Couture et al.	12/12/02	ALL
		US20020198525	A1	Schulze et al.	12/26/02	ALL
		US20020198554	A1	Whitman et al.	12/26/02	ALL
		US20030004528	A1	Ishikawa	01/02/03	ALL
		US20030004529	A1	Tsonton et al.	01/02/03	ALL
		US20030014010	A1	Carpenter et al.	01/16/03	ALL
		US20030023257	A1	Ishikawa	01/30/03	ALL
		US20030060770	A1	Wing et al.	03/27/03	ALL

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		Office ³	Number ⁴	KindCode ⁵				
							ALL	
							ALL	

Examiner Signature	Date Considered
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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(use as many sheets as necessary)

Sheet 3 of 3

Application Number**Filing Date**

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First Named Inventor

Biten K. Kathrani et al.

Group Art Unit

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Examiner Name

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		Number	Kind Code ² (if known)			
		US20030065358	A1	Frecker et al.	04/03/03	ALL
		6,554,793	B1	Pauker et al.	04/29/03	ALL
		6,554,829	B2	Schulze et al.	04/29/03	ALL
		US20030083628	A1	Blanco	05/01/03	ALL
		US20030105485	A1	Balceta et al.	06/05/03	ALL
		6,582,441	B1	He et al.	06/24/03	ALL
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